

NYKD LLC  
334 East 59th Street  
New York, N.Y. 10022  
212-674-0064

VIA ELECTRONIC FILING

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, DC 20554  
Re: Notice of Ex Parte Presentation in MB Docket No. 07-57  
Dear Mrs. Dortch:

In response to numerous claims by multiple filings of groups apposed to the merger of SIRI & XMSR.

I as both a Share Holder & a Client of the services of Sirius service am in favor of this merger. In my opinion this would only enhance the services that I already rely on for my entertainment. Their service is both reasonably priced and readily accessible. With the only limitation to service being when atmospheric conditions prevent the purest signal. I am afforded political talk "radio" not available within my travels Such as Lib Radio, a selection of music as varied as there are flowers on this earth, Informative financial Information, and Various real time sports news. To say Sirius has given me everything I would like, That would not be so.

As a shareholder of Sirius, I have grown weary. I find the hardships perpetrated on my interest from people who are neither Investors or acting in the interest of the General public to be less then honorable.

Take the Ex Parte filing by the NAB. These are the same people who as a consortium, acted on behalf of various media outlets as a "broker" in advertising swaps. Furthermore, NAB acts to represent over 1500 radio stations, various TV broadcasting Stations, (who do not have a varied offering and in many instances lack the commitment of which they demand from Sirius XM) and is directly supported by this membership through a multiple "levels of membership." Though the fact that NAB takes any adversarial position to the Sirius XMSR merger bewilders me after reading the Ex Parte regarding the Liberty Media directTV merger as well as the Clear Channel Communication filing of consolidation of so many licenses, I couldn't even count them.

As I read the "about" Statement of the FCC. "The Federal Communications Commission (FCC) is an independent United States government agency, directly responsible to Congress. The FCC was established by the Communications Act of 1934 and is charged with regulating interstate and international communications by radio, television, wire, satellite and cable. The FCC's jurisdiction covers the 50 states, the District of Columbia, and U.S. possessions." Currently, I view the "inaction"

by the commissioners to be a failure, both as an independent body and delinquent in the duty required by the charter that formed the FCC to be responsible to Congress.

In this day and age, when I can access multiple entertainment venues via the Internet and cellular phone, both which have pay per minute and flat rate curves far above that of Sirius and XM combined, (cable Internet access costs me \$38.00 per month. Basic cable service costs me \$48.00 Cellular access costs me \$100.00 per month. ) at a greater expense. My iTunes account alone was \$425.00 last year. Why I ask can't I be availed of both these services combined.

How is it that this merger of products would be considered such a devastating blow to terrestrial radio, (a free service) that the commission would allow Commercial entities to liken it to the loss of the buggy whip because someone made the auto affordable.

What has prevented the NAB, Affinity Broadcasting, or any other company from buying either XM or Sirius? Surly as they way they rail against it, they would benefit greatly from such a marriage.

It is simple. With the blessing of the FCC., The Advertising markets have continued to reap rewards on the back of the listening public while offering a product that has increased in cost 3% above CPI year over year, while offering less service. The commercial cost the advertisers more resulting in higher prices to the public. Radio in particular has failed to become innovative in their offering of programming. The Talent (personalities) have become diluted through mass syndication and are often the subject themselves of conflict by the hiring corporation that require them to hold an audience.

If the Terrestrial radio model, in existence since the early 1920s, is on the same track as the buggy whip, would the Congress of that time called for railroad systems not to have an interconnecting route.

In closing, it is not only in the best interest of the consumer to allow this merger, as programming will have to be more responsive to the listeners desires, but also in the best interest of radio it's self as it will have to refine it's service to compete fairly for advertising revenues within the local markets. Advertisers will have a greater ability to target the desired demographic, thus realizing more efficient use and control over their shareholder's profits.

Respectfully submitted,  
Steven M Riddle  
President